IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 26089 of 2005

Between:

Muppidi Raju

..... PETITIONER

AND

The Joint Collector, East Godavari District

at Kakinada and 3 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents 1 to 3 in evicting the petitioner from the land to an extent of Ac.0.39 cents in R.S.No.410/1B of Kolamuru village, Rajahmundry Rural Mandal, East Godavari District in pursuance of the order of the 1st respondent, dated 20.09.2005, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

As against the orders of the 2nd respondent dated 20.11.2004, directing for eviction of the petitioner and other encroachers in respect of Ac.0.39 cents in R.S.No.410/1B of Konthamuru H/o.Kolamuru village, the petitioner filed an appeal before the 1st respondent and the 1st respondent by order dated 20.09.2005, dismissed the said appeal and also vacated the stay orders passed earlier. Aggrieved by the said order, the petitioner filed revision under Section 4-B of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 before the 4th respondent on 14.11.2005. It is stated that the stay application has been filed in the said revision, but no orders have been passed. It is further stated that during pendency of revision, respondents 2 and 3 are seeking eviction of the petitioner from the land in question.

Having regard to the facts and circumstances of the case, and as the revision is pending before the 4th respondent, respondents 2 and 3 are directed not to evict the petitioner from the land in question, pending disposal of the revision.

With the above observations, the Writ Petition is disposed of. No order as to costs.

_____

V.ESWARAIAH,J

Dated: 07.12.2005

Dsr